UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,822	06/04/2001	Darrel D. Cherry	10007421-1	5406

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EXAMINER
BAUGH, APRIL L

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/873,822	CHERRY ET AL.
	Examiner	Art Unit	
	April L. Baugh	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-47* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-47* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant has amended claims 6, 43, and 45-47 have been amended therefore claims 1-47 are

now pending.

Response to Arguments

1.   Applicant's arguments with respect to claims 1-47 have been considered but are moot in

view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-47 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No.

5,905,906 to Goffinet et al. in view of Crisman et al. (US Patent No. 5,386,512)

Regarding claim 1, Goffinet et al. teaches a system comprising: server communicatively

coupled to a communication network; aggregate context information specifying operational

parameters available via said communication network, wherein said aggregate context

information is communicatively accessible by said server (column 1, lines 46-48 and column 2,

lines 3-14); and at least one device communicatively coupled to said communication network, wherein said at least one device includes operational specification information specifying individual operational parameters of said at least one device stored locally to said at least one device (column 6, lines 29-39).

Goffinet et al. does not teach wherein said at least one device further includes relational context information stored locally thereto specifying the relation of said individual operational parameters of said at least one device to said aggregate of operational parameters available via said communication network. Crisman et al. teaches wherein said at least one device further includes relational context information stored locally thereto specifying the relation of said individual operational parameters of said at least one device to said aggregate of operational parameters available via said communication network (abstract, column 20, lines 11-48). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the method for providing intelligence to network devices of Goffinet et al. by includes relational context information stored locally thereto specifying the relation of said individual operational parameters of said at least one device to said aggregate of operational parameters available via said communication network because devices within a network will know how they relate with other devices within the network and thus will know which services it provides best within the network.

Regarding claims 14, 31, and 37, Goffinet et al. teaches a device and computer program for providing relational content intelligence to a device communicatively connectable to a communication network, said device comprising: operational specification information stored locally thereto, wherein said operational specification information includes information

specifying individual operational parameters of said device (column 6, lines 29-39); means for

receiving aggregate context information specifying an aggregate of operational parameters

available via said communication network (column 1, lines 46-48 and column 2, lines 3-14).

Goffinet et al. does not teach means for mapping at least a portion of said operational

specification information onto the received aggregate context information to generate relational

context information specifying the relation of said individual operational parameters of said

device to said aggregate of operational parameters available via said communication network.

Crisman et al. teaches means for mapping at least a portion of said operational specification

information onto the received aggregate context information to generate relational context

information specifying the relation of said individual operational parameters of said device to

said aggregate of operational parameters available via said communication network (abstract,

column 20, lines 11-48). Therefore it would have been obvious to one of ordinary skill in the art

at the time the invention was made to further modify the method for providing intelligence to

network devices of Goffinet et al. by means for mapping at least a portion of said operational

specification information onto the received aggregate context information to generate relational

context information specifying the relation of said individual operational parameters of said

device to said aggregate of operational parameters available via said communication network

because devices within a network will know how they relate with other devices within the

network and thus will know which services it provides best within the network.

Regarding claim 20, Goffinet et al. teaches a method for providing relational context

intelligence to a network device, said method comprising the steps of: communicatively coupling

a server to a communication network; communicatively coupling a first network device to said

communication network; receiving at said server from said first network device operational

specification information specifying individual operational parameters of said first network

device; updating aggregate context information at said server to reflect the received operational

specification information, wherein said aggregate context information specifies an aggregate of

operational parameters available via said communication network; communicating at least a

portion of said aggregate context information to said first network device (column 1, lines 46-48

and column 2, lines 3-14 and column 6, lines 29-39).

Goffinet et al. does not teach said first network device generating relational context

information specifying a relation of said first network device's operational parameters to

operational parameters of other network devices communicatively coupled to said

communication network; and storing said relational context local to said first network device.

Crisman et al. teaches said first network device generating relational context information

specifying a relation of said first network device's operational parameters to operational

parameters of other network devices communicatively coupled to said communication network;

and storing said relational context local to said first network device (abstract, column 20, lines

11-48). Therefore it would have been obvious to one of ordinary skill in the art at the time the

invention was made to further modify the method for providing intelligence to network devices

of Goffinet et al. by said first network device generating relational context information

specifying a relation of said first network device's operational parameters to operational

parameters of other network devices communicatively coupled to said communication network;

and storing said relational context local to said first network device because devices within a

network will know how they relate with other devices within the network and thus will know

which services it provides best within the network.

Regarding claims 7, 19, 24, 36, and 42, Goffinet et al. teaches the system of claim 1, 14,

20, 31, and 37 (column 1, lines 46-48 and column 2, lines 3-14 and column 6, lines 29-39).

Goffinet et al. does not teach relational context information. Crisman et al. teaches

wherein said relational context information includes information comparing one or more of said

individual operational parameters of said at least one device to like operational parameters of

other devices coupled to said communication network (abstract, column 20, lines 11-48).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention

was made to further modify the method for providing intelligence to network devices of Goffinet

et al. by wherein said relational context information includes information comparing one or more

of said individual operational parameters of said at least one device to like operational

parameters of other devices coupled to said communication network because devices within a

network will know how they relate with other devices within the network and thus will know

which services it provides best within the network.

Regarding claims 8, 21, and 32, Goffinet et al. teaches the system of claim 1, 20, and 31

wherein said at least one device includes a software application executable thereon to receive at

least a portion of said aggregate context information (column 1, lines 46-48 and column 2, lines

3-14 and column 6, lines 29-39).

Goffinet et al. does not teach relational context information. Crisman et al. teaches map

one or more of said individual operational parameters of said at least one device onto the

received aggregate context information to generate said relational context information (abstract,

column 20, lines 11-48). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the method for providing intelligence to network devices of Goffinet et al. by map one or more of said individual operational parameters of said at least one device onto the received aggregate context information to generate said relational context information because devices within a network will know how they relate with other devices within the network and thus will know which services it provides best within the network.

Regarding claims 9, 15, 25, and 44, Goffinet et al. teaches the system of claim 1, 14, 20, and 37 (column 1, lines 46-48 and column 2, lines 3-14 and column 6, lines 29-39).

Goffinet et al. does not teach relational context information. Crisman et al. teaches wherein said server includes a software application executable thereon to map said aggregate context information into relational categories (abstract, column 20, lines 11-48). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the method for providing intelligence to network devices of Goffinet et al. by wherein said server includes a software application executable thereon to map said aggregate context information into relational categories because devices within a network will know how they relate with other devices within the network and thus will know which services it provides best within the network.

Regarding claims 10, Goffinet et al. teaches the system of claim 9 (column 1, lines 46-48 and column 2, lines 3-14 and column 6, lines 29-39).

Goffinet et al. does not teach relational context information. Crisman et al. teaches wherein said relational categories includes different categories for different values of an

operational parameter (abstract, column 20, lines 11-48). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the method for providing intelligence to network devices of Goffinet et al. by wherein said relational categories includes different categories for different values of an operational parameter because devices within a network will know how they relate with other devices within the network and thus will know which services it provides best within the network.

Regarding claims 11 and 26, Goffinet et al. teaches the system of claim 1 and 20 (column 1, lines 46-48 and column 2, lines 3-14 and column 6, lines 29-39).

Goffinet et al. does not teach relational context information. Crisman et al. teaches wherein said at least one device includes a software application executable thereon to map one or more of said individual operational parameters of said at least one device onto proper relational categories of said aggregate context information (abstract, column 20, lines 11-48). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the method for providing intelligence to network devices of Goffinet et al. by wherein said at least one device includes a software application executable thereon to map one or more of said individual operational parameters of said at least one device onto proper relational categories of said aggregate context information because devices within a network will know how they relate with other devices within the network and thus will know which services it provides best within the network.

Regarding claims 12, 27, and 45, Goffinet et al. teaches the system of claim 11, 26, and 44 (column 1, lines 46-48 and column 2, lines 3-14 and column 6, lines 29-39).

Goffinet et al. does not teach relational context information. Crisman et al. teaches

wherein said software application is executable to respond to a received query as to whether one

or more of said operational parameters of said at least one device are within a particular

relational category of said aggregate context information (abstract, column 20, lines 11-48).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention

was made to further modify the method for providing intelligence to network devices of Goffinet

et al. by wherein said software application is executable to respond to a received query as to

whether one or more of said operational parameters of said at least one device are within a

particular relational category of said aggregate context information because devices within a

network will know how they relate with other devices within the network and thus will know

which services it provides best within the network.

Regarding claim 2, Goffinet et al. teaches the system of claim 1 wherein said

communication network is a network selected from the group consisting of: general purpose

processor-based information network, PSTN, wireless network, LAN, WAN, modem to modem

connection, the Internet, an Intranet, an Extranet, and any combination thereof (column 4, lines

5-8).

Regarding claims 3 and 22, Goffinet et al. teaches the system of claim 1 and 20 wherein

said aggregate context information includes information specifying an aggregate of operational

parameters available via a totality of devices communicatively coupled to said communication

network (column 1, lines 46-48 and column 2, lines 3-14).

Regarding claims 4, 17, 23, 34, and 40, Goffinet et al. teaches the system of claim 1, 14,

20, 31, and 37 wherein said aggregate context information includes information specifying an

aggregate of operational parameters available via a totality of devices of a particular type

communicatively coupled to said communication network (column 1, lines 46-48 and column 2,

lines 3-14 and column 7, lines 6-7).

Regarding claims 5, 18, 35, and 41, Goffinet et al. teaches the system of claim 1, 14, 31,

and 37 wherein said aggregate context information includes information specifying one or more

ranges of operational parameters available via devices coupled to said communication network

(column 1, lines 46-48 and column 2, lines 3-14 and column 7, lines 6-7).

Regarding claims 6 and 43, Goffinet et al. teaches the system of claim 1 and 37 wherein

said at least one device is selected from the group consisting of: printers, processor-based

devices, data storage devices, fax machines, optical scanners, PDAS, digital cameras, and any

peripheral device capable of being communicatively coupled, either directly or indirectly, to said

communication network (column 1, lines 46-48).

Regarding claim13, Goffinet et al. teaches the system of claim 1 wherein said at least one

device includes a software application executable thereon to communicate said operational

specification information to said server, and wherein said server includes a software application

executable thereon to receive said operational specification information and update said

aggregate context information to reflect said operational specification information (column 1,

lines 46-48 and column 2, lines 3-14 and column 6, lines 29-39).

Regarding claims 16, 33, and 39, Goffinet et al. teaches the device of claim 14, 31, and

37 wherein said relational context information is stored locally to said device (column 6, lines

29-39).

Regarding claim 38, Goffinet et al. teaches the computer program product of claim 37 wherein said device comprises said computer-readable storage medium local thereto, and wherein said device includes a processor for executing said computer readable program code (column 1, lines 46-48 and column 2, lines 3-14).

Regarding claim 46, Goffinet et al. teaches the computer program product of claim 37 wherein said computer readable program code further comprises: code executable to communicate said operational specification information to a server via said communication network (column 1, lines 46-48 and column 2, lines 3-14).

Regarding claim 47, Goffinet et al. teaches the computer program product of claim 46 wherein said code executable to receive said aggregate context information is executable to receive said aggregate context information from said server via said communication network (column 1, lines 46-48 and column 2, lines 3-14)

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to providing intelligence to network devices in general: Beardsley et al., McGlynn et al., Menezes et al., Duvall et al., Ooki, Hubbard, and Goffinet et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April L. Baugh whose telephone number is 571-272-3877. The examiner can normally be reached on Monday-Friday 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER